

MEMORANDUM

To: George MacDonald, State Planning Office

Fr: Greg Louder, MRC

Dt: April 12, 2006

RE: MRC Staff Comments on Draft SPO Executive Summary Document

MRC appreciates the opportunity to provide the following comments on the draft document titled: "Review of State Solid Waste Management Policies - Recommendations for Moving Maine Beyond 50% Recycling" compiled by SPO with input from the solid waste management task force process.

(At Pg. 5) - Emerging Changes - Please note that some issues listed here are not emerging, but rather have been true over time. I suggest some distinction to that end should be made for clarification.

More importantly, the first bullet suggests or implies continued significant growth in MSW generation. In the case of the PERC Amending Charter Municipalities, this simply isn't true. To illustrate, in 1994 this group delivered 181,771 tons. In 2005, this group delivered 187,924 tons. I feel it is very important for the final document to make this point – even if it means a regional distinction. PERC in-state MSW deliveries have been relatively flat for the past ten years, partially attributable to recycling efforts. This is a very important point for planning and policy discussion purposes.

Another emerging change not mentioned, is recent efforts, subsequent to the development of Juniper Ridge, to develop millions of yards of additional capacity around the state.

An increase in imported waste is raised as an emerging change. I note that increased quantities of bypass waste is also a similar emerging change. This should be noted.

Finally, reference is made to increasing costs & expertise needed for municipal landfills. It is very misleading to attach such a distinction to municipal landfills only. Are there operational, regulatory issues to express here? If this is the case, what are the issues and why the limitation to municipal facilities? We suggest removal of the reference to municipal facilities.

(At Pg. 6) – Affirm Existing State Policy. It was raised more than once at the fourth task force meeting that four of the seven bullets listed on page 4 were carried over to the policy affirmation section. In particular, the bottom two bullets from page 4 are key policy areas that deserve a place at page 6, alongside the existing four.

(At Pg. 6 first two paragraphs & in general) - the new term "waste diversion" is raised and used thereafter throughout the report. The report should clarify what this means by describing the fit of waste diversion in the context of the state waste management hierarchy. Waste diversion needs to include reduced volumes needed for placement in landfills.

(At Pg. 6) - the third category in the summary of recommendations is research and data collection recommendations; which it notes “which require further study;” This is confusing. Could it mean the recommendation needs further study? I suggest the phrase “which require further study” lends no additional report value and thus should be stricken here and where it otherwise appears in the report. If the point is these matters need a study, that point could be effectively said later in report discussion about each item.

(Page 7) 7. Move beyond 50% recycling – this needs emphasis on landfill volume reduction. I suggest adding after the word diversion... “while reducing volume required to be disposed in the state’s landfills”

(Page 12) first full paragraph – As written, the paragraph could be construed to mean DEP review of public benefit determinations only occurs in cases of applications for new or expanded facilities. This is not the case. I suggest the last sentence of the first paragraph end at “public benefit determinations”. The last 11 words need to be simply stricken from the sentence.

(Page 13) Commercial Landfill Ban

In the second paragraph, reference is made to technological advancements and management practices and capital being more readily available to the private sector. The language appears or could be construed to intend to perpetuate the assertion that municipal facilities would better serve their purpose under private sector management and control? The language is misleading and needs to be stricken from the report.

(Pg. 16&17) reference is made to a 1,000,000 plus C/DD ton Maine market. We don’t generate anywhere near that annually in Maine. The issue here regarding effect on landfill capacity isn’t ash from C/DD combustion inasmuch as it’s the C/DD residue. The C/DD balance, after wood extraction, will have a far greater affect on the state’s landfill capacity than ash from combusted C/DD wood. This fact needs to be discussed in the report.

Thank you for the opportunity to provide comments and feel free to contact me at 942-6389 to further discuss them.